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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,968	04/21/2004	Paul S. Chudoba	157 P 029(A)	5363
7590	06/30/2005		EXAMINER	
George R. McGuire Bond Schoeneck & King, PLLC One Lincoln Center Syracuse, NY 13202			PEACE, RHONDA S	
			ART UNIT	PAPER NUMBER
				2874

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/828,968	CHUDOBA, PAUL S.
	<b>Examiner</b>	<b>Art Unit</b>
	Rhonda S. Peace	2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-9, 17 and 18 is/are rejected.
- 7) Claim(s) 10-16 and 19 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 April 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____.  | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Ryley Jr (US 4448483).

Speaking to the above mentioned claims, Ryley Jr. discloses an optical fiber connector for connecting a bare optical fiber to optical equipment comprising the following: a ferrule **58** having an axial bore and terminal end to which a reservoir **10**, also considered an cartridge, is optically coupled (column 6 lines 3-8 and 24-29, Figure 2), optical coupling fluid located within a chamber **16** of reservoir **10** which also has an entrance and exit apertures (column 4 lines 28-36, Figure 4), an optical fiber **40** extending from the ferrule **58** axial bore into the reservoir **10** (column 6 lines 17-29, Figure 2), an inner post **60** located within the ferrule **58** where both of its ends have been fluted, or misshapen in the same spirit as a divot, where these ends are in optical communication with one another (column 6 lines 46-53, Figure 2), an adapter **32** through which the ferrule **58** extends, also considered a sleeve or outer housing, and is releasably engaged with the reservoir and ferrule with a toothed portion, acting as a pressure foot, and aligns the reservoir and ferrule (column 5 lines 59-63, Figure 2), and

two annular chambers located within the outer housing **32** where the first chamber holds clamp nut **38** and the other the distal end of the ferrule **58** (Figure 2).

### ***Allowable Subject Matter***

Claims 10-16 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The applicable prior art does not show, nor does it reasonably suggest a connector device of the above discussed limitations also containing an end cap through which the cartridge partially extends, a limitation discussed within the applicant's claim 10. In addition, the applicable prior art does not show, nor does it reasonably suggest a connector mechanism of the above mentioned limitations containing two compression sleeves for retaining the first and second end of the inner post 60, as claimed by the applicant in claim 19. For these reasons, claims 10 and 19 are considered novel by the examiner, and thereby are patentable. As claims 11-16 are all dependents of claim 10, and also contain the patentable material of claim 10, claims 11-16 are also considered patentable material.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wall (US 5113464) describes a fiber terminus used under extreme temperature conditions that utilizes a viscous liquid to prevent damage to the

fiber due to high temperatures. Poorman et al (US 4836637) describes a connector body to couple a bare optical to another optical device.

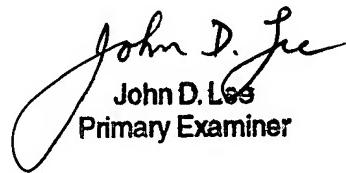
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rhonda S. Peace whose telephone number is (571) 272-8580. The examiner can normally be reached on M-F (8-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272- 2344.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rhonda S. Peace  
Examiner  
Art Unit 2874



John D. Lee  
John D. Lee  
Primary Examiner